

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA

v.

WALTER ADONAI RIVERA CHICHILLA

DOCKET NO. 3:24-cr-238

**FACTUAL BASIS**

NOW COMES the United States of America, by and through Russ Ferguson, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. From on or about September 23, 2024, through on or about October 2, 2024, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant, Walter Adonai Rivera Chinchilla, did ship, transport, transfer, cause to be transported, or otherwise dispose of a Glock, model 19 pistol, a Glock, model 17 pistol, and a Radical Firearms, model RF15, 5.56 caliber firearm to other persons, in or otherwise affecting interstate or foreign commerce, knowing or having reasonable cause to believe that the use, carrying, or possession of one or more of the firearms by the recipient would constitute a felony as defined in Title 18, United States Code, Section 932(a).
  
2. On September 23, 2024, Chinchilla purchased a firearm for a confidential informant (CI) who was working with HSI and ATF. The informant was Honduran and could not lawfully possess a firearm in the United States. Chinchilla purchased a Glock 19, 9mm semiautomatic pistol from a federal firearms licensee (FFL) in the Western District of North Carolina. Chinchilla left the FFL and transferred the firearm to the CI in exchange for \$1200 knowing or having reasonable grounds to know that the CI could not lawfully possess it.

3. On October 2, 2024, Chinchilla purchased firearms for an undercover law enforcement agent (UC). The agent was posing as a Mexican national who was unable to lawfully possess firearms in the United States. Chinchilla purchased a Radical Firearms RF15, 5.56 caliber pistol and a Glock 17, 9mm pistol from an FFL in the Western District of North Carolina. Chinchilla left the FFL and transferred the firearms to the UC in exchange for \$2500.

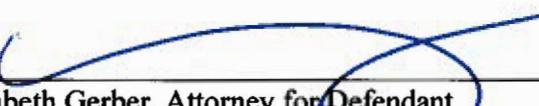
RUSS FERGUSON

UNITED STATES ATTORNEY

  
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TIMOTHY SIEAFF  
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis the 2nd Superseding Bill of Indictment, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis the 2nd Superseding Bill of Indictment, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.

  
\_\_\_\_\_  
Elizabeth Gerber, Attorney for Defendant

DATED: 10/25/25

  
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Nicole Lybrand, Attorney for Defendant

DATED: 10/25/25